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In re Application of  
Murray Sinclair Banting  
Patent No. 6,764,252  
Issued: July 20, 2004  
Application No. 10/065,214  
Filed: September 26, 2002  
Title of Invention:  
RETAINING WALL SYSTEM

**COPY MAILED**  
APR 20 2005

**OFFICE OF PETITIONS**

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This is a decision on the request for a refund, filed January 31, 2005. The petition is properly treated as a petition under 37 CFR 1.181.

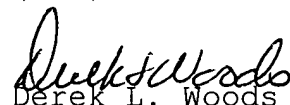
The application was filed on September 26, 2002, and included an executed oath/declaration. On November 29, 2004, Applicant filed a petition requesting a duplicate Letters Patent. The petition included a credit card authorization to charge the petition fee, \$130.00. Apparently, in addition to the petition fee, this Office charged Applicant's credit card an additional surcharge of \$130.00 for late filing of the oath or declaration. As noted *infra*, the oath/declaration was present on filing of the application.

Applicant files the instant petition requesting a refund of the late filing, oath or declaration surcharge.

The petition is hereby granted.

A refund of the petition fee has been scheduled via Treasury Check.

Telephone inquiries should be directed to the undersigned at (571) 272-3232.

  
Derek L. Woods  
Attorney  
Office of Petitions